



Treaty Series No. 13 (1937)

Agreement
for the
Control of Opium Smoking
in the Far East

supplementary to the Geneva Agreement of
February 11, 1925

Bangkok, November 27, 1931

[The ratifications of His Majesty's Government in the United Kingdom and of the Government of India were deposited on April 3, 1933, and December 4, 1935, respectively]

*Presented by the Secretary of State for Foreign Affairs
to Parliament by Command of His Majesty*

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1937

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Cmd. 5401

AGREEMENT FOR THE CONTROL OF OPIUM SMOKING IN
THE FAR EAST, SUPPLEMENTARY TO THE GENEVA
AGREEMENT OF FEBRUARY 11, 1925.

Bangkok, November 27, 1931.

THE United Kingdom of Great Britain and Northern Ireland,
France, India, Japan, the Netherlands, Portugal and Siam,

Having decided to review the position in regard to the application in their Far-Eastern possessions and territories of Chapter II of The Hague International Opium Convention of the 23rd January, 1912,⁽¹⁾ and of the Geneva Agreement of the 11th February, 1925,⁽²⁾ and to consider what further measures can be taken to bring about the suppression of the use of opium for smoking,

Have for that purpose appointed as their Plenipotentiaries :

The United Kingdom of Great Britain and Northern Ireland :

Sir Malcolm Delevingne, K.C.B., Permanent Deputy Under-Secretary of State of the Home Office.

France :

His Excellency M. Roger Maugras, Envoy Extraordinary and Minister Plenipotentiary accredited to His Majesty the King of Siam.

M. G. Bourgois, Consul.

India :

Mr. J. B. Marshall, C.I.E., Excise Commissioner of Burma.

Japan :

His Excellency Mr. Y. Yatabe, Envoy Extraordinary and Minister Plenipotentiary accredited to His Majesty the King of Siam.

Mr. S. Munesuye, Secretary of the Ministry of Overseas Affairs.

The Netherlands :

M. W. G. van Wettum, Adviser to the Netherlands Government in International Opium Questions.

M. C. Ph. C. E. Steinmetz, Chief Inspector, Head of the Opium Régie of the Netherlands Indies.

M. H. Holtkamp, Administrator of the Department of Finance of the Netherlands Indies.

(1) "Treaty Series, No. 17 (1921)," Cmd. 1520.

(2) "Treaty Series, No. 13 (1928)," Cmd. 3095.

Portugal :

Dr. João Pereira de Magalhães, Director of Civil Administration Services, in charge of the Government of Macao.

Dr. Pedro José Lobo, Inspector of Economic Services, Superintendent of the Opium Monopoly, Macao.

Siam :

Phya Srivisar Vacha, Under-Secretary of State for Foreign Affairs.

His Serene Highness Prince Vivadhanajaga Jayanta, Director-General of the Revenue Department.

Who, having examined the present situation in the Far East and having considered the conclusions and suggestions of the Commission appointed by the League of Nations to enquire into the control of opium-smoking in the Far East,

Having deposited their full powers found in good and due form, Have agreed to supplement the Geneva Agreement as follows :—

ARTICLE 1.

The retail sale and distribution of opium shall take place only from Government shops—that is, shops owned and managed by the Government, or, where the local circumstances make the establishment of a Government shop difficult, from shops managed, under Government supervision, by persons appointed by the Government for that purpose and remunerated by a fixed payment only and not by a commission on sales.

The foregoing provision need not be applied if a system of licensing and rationing of smokers is in force, which affords equivalent or more effective guarantees, or during the continuance, as a strictly temporary measure, of selling-establishments controlled by the Monopoly.

ARTICLE 2.

1. Persons under twenty-one years of age shall be prohibited from smoking opium and from entering any smoking-establishment.

2. Any person inducing a person under twenty-one years of age to smoke opium or to enter an opium-smoking establishment or to procure opium, or facilitating any such act on the part of such a person, shall be guilty of an offence, for which severe penalties, including a term of imprisonment, shall be provided.

ARTICLE 3.

The High Contracting Parties agree to give a legal basis to the practice, already generally in operation, of selling prepared opium for cash only.

ARTICLE 4.

For the purpose of rendering stricter the control of the manufacture of prepared opium, it shall be permissible for a Government Monopoly to be supplied with prepared opium from the factory of a Government Monopoly in another territory of the same Power.

ARTICLE 5.

The present Agreement applies only to the Far-Eastern possessions or territories of the High Contracting Parties, including leased or protected territories, in which the use of prepared opium is temporarily authorised.

At the moment of ratification any High Contracting Party may declare that its acceptance of the Agreement does not include any territory over which it exercises only a protectorate; and may accede subsequently, in respect of any protectorate thus excluded, by means of a notification of accession deposited with the Secretary-General of the League of Nations, who shall forthwith notify the accession to all the other High Contracting Parties.

ARTICLE 6.

The present Agreement, of which the French and English texts are both authentic, shall be subject to ratification.

The instruments of ratification shall be deposited with the Secretary-General of the League of Nations as soon as possible.

The Agreement shall not come into force until it has been ratified by all the High Contracting Parties. The date of its coming into force shall be the ninetieth day after the receipt by the Secretary-General of the League of Nations of the last ratification.⁽³⁾

The Agreement shall be registered by the Secretary-General of the League of Nations upon the day of its coming into force.

ARTICLE 7.

If one of the High Contracting Parties should wish to denounce the present Agreement, the denunciation shall be notified in writing to the Secretary-General of the League of Nations, who will immediately communicate a copy of the notification to all the other High Contracting Parties, informing them of the date on which it was received.

The denunciation shall take effect only as regards the High Contracting Party which notified it, and one year after the notification thereof has reached the Secretary-General.

In faith whereof the above-mentioned Plenipotentiaries have signed the present Agreement.

(3) The Agreement enters into force on April 22, 1937.

Done at Bangkok the 27th day of November, 1931, in a single copy, which shall remain deposited in the archives of the Secretariat of the League of Nations, and certified true copies of which shall be delivered to all the High Contracting Parties.

United Kingdom of Great Britain
and Northern Ireland :

MALCOLM DELEIVINGNE.

France :

ROGER MAUGRAS.
G. BOURGOIS.

India :

J. B. MARSHALL.

The Delegate of India stated that he signed the Agreement subject to the following declaration:—

"I declare that my signature to this Agreement is subject to the understanding that it does not apply at present to the territory known as the Shan States and that it applies, so far as India is concerned, only to the Province of Burma excluding the Shan States."

Japan :

Y. YATABE.
S. MUNESUYE.

The Netherlands :

VAN WETTUM.
STEINMETZ.
H. HOLTkamp.

Portugal :

JOÃO P. DE MAGALHÃES.
PEDRO JOSÉ LOBO.

Siam :

PHYA SRIVISAR.
VIWAT.

In accordance with a declaration made at the Conference, the Siamese Delegation signs this Agreement with a reservation to Article 1.

LIST OF RATIFICATIONS.

	<i>Date of Deposit.</i>
United Kingdom	April 3, 1933.
India	December 4, 1935.
France	May 10, 1933.
Japan	January 22, 1937.
Netherlands	May 22, 1933.
Portugal	January 27, 1934.
Siam	November 19, 1934.

